UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/382,426	08/24/1999	JEFFRY JOVAN PHILYAW	PHLY-24.732	5220

25883 7590 06/15/2004

HOWISON & ARNOTT, L.L.P
P.O. BOX 741715
DALLAS, TX 75374-1715

EXAMINER	
AKERS, GEOFFREY R	
ART UNIT	**PAPER NUMBER**
3625	

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)
09/382,426	PHILYAW
Examiner	**Art Unit**
ALVAREZ, G	3625

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☑ Responsive to communication(s) filed on 4/30/04

2a) ☐ This action is **FINAL**. 2b) ☑ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☑ Claim(s) 1-27 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consider

5) ☐ Claim(s) _____ is/are allowed.

6) ☑ Claim(s) 1-27 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election require

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Ex

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
4) ☐ Interview Summary (PTO-413) Paper No(s). _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Response to Request for Continued Examination

1. This action is issued in reply to applicant's Request for Continued Examination(Paper #19) filed 4/30/04.

2. Claims 1 and 14 were amended. No claims were deleted. None were added.

3. Claims 1-27 as amended, are pending.

Claim Rejections - 35 USC § 103

4. Claims 1-6, 13-19 as amended, and 26 are again rejected under 35 U.S.C. 103(a) as being unpatentable over Reber et al. (US 5,930,767) in view of Light et al. (US 6,192,380) and further in view of Official Notice.

****

5. (AMENDED) As per claims 1 and 14, Reber teach a method and system of processing profile information of a user for conducting an on-line transaction wherein the system provides the method comprising the steps of: entering profile information of a user into a computer at a user location disposed on a network (col. 1, lines 36-45) issuing a bar code in response to the user transmitting the profile information from the user location to a second location, the second location disposed on the network (col. 2, lines 24-30) (col. 4, lines 14-27) providing to the vendor location by the user the bar code for purchase of a product of a vendor location disposed on the network, during the on-line transaction (col. 2 lines 24-30) (col. 3, lines 57-59) (col. 5, lines 4-15) and providing the profile information from the second location to the vendor location in response to the vendor location processing the barcode (col. 5, lines 4-32).

Reber does not expressly teach "automatically inserting the stored profile information into a vendor payment form for presentation to the user at the user location." However, Light et al. teach a method for automatically populating form wherein a user is provided with the opportunity to approve the form after it is been populated (col. 6, lines 43-50). Light further teaches entering a credit card number for a transaction(col 2 lines 63-col 3 line 48) which is the result of a purchase of a product, such product which would normally have a bar code. At the time of Applicants' invention, it would have been obvious to modify Reber to include "automatically inserting the profile information into a vendor payment form for presentation to user at the user location" in order to provide the user with the opportunity to date relevant transaction information.

Reber does not specifically teach having the user enter profile information into a form. However, the examiner takes Official Notice that using a n to collect user information over the Internet was notoriously well-known in Internet commerce art at the time of the applicant's invention. Therefore, it would have been obvious to one having ordinary skill in the Internet commerce to combine the teachings of Reber et al., to include the use of a form in order provide a formatted questionnaire that is directed at obtaining specific information. The combination of Reber and Official Notice do not expressly teach providing the bar code for purchase of a product of a vendor location disposed ie network, during the online transaction, which on-line transaction requires the user to view a vendor payment for representing information about the transaction, and which vendor payment form includes fields that are associated with information obtainable from the profile information of the user and which

must be viewed by the user prior to completion of the online transaction." However, Light et al. teach a method and apparatus for automatic web form fill-in. According to Light et al., user data is collected from a database and automatically inserted into an online form (Abstract)(col. 1, lines 45-46)(col. 3, lines 47-65) (col. 4, lines 1-25). The form is then presented to the user in order to allow the user to fill in any blanks (col. 4, lines 15-24). At the time of Applicants' invention, it would have been obvious to one of ordinary skill in the art, to modify Reber and Official Notice to include requiring the user to view a vendor payment form as recited in claim 1. This combination would allow Reber to collect other information required for the completion of an online transaction. A user may want to indicate a particular mode of shipping or a different delivery address. Reber and Official Notice do not expressly teach "entering into a profile form at a user location disposed on a network prior to conduction of an online transaction between the user and the vendor, the vendor disposed at a vendor location on the network." However, Light et al. teach presenting to a user, over a communication network, a form for collecting user information including the user's name, address and credit information (col. 3, lines 43-51). At the time of Applicants' invention, it would have been obvious to modify Reber and Official Notice to include "entering into a profile form at a user location disposed on a network prior to conduction of an online transaction between the user and the vendor, the vendor disposed at a vendor location on the network" taught by Light. This combination would provide a means for issuing Reber's code device 40 to a user disposed at a remote location.

6. As per claims 2 and 5, Reber et al. further teach a method and system wherein the user fills in the form only one time (col. 1, lines 36-45).

7. As per claims 3 and 16, Reber et al. teach all the limitations discuss under claims 1 and 14 above. Reber et al. also teach a method and system wherein the user profile information is transmitted to the second location over public switched telephone network.Reber does not specifically teach the use of a form for transmitting the user profile information. However, the examiner takes Official Notice that, at the time of the applicant's invention, the use of a form was well-known in the Internet Commerce art as discussed under claims 1 and 14 above.

8. As per claims 4 and 17, Reber further teaches a method and system wherein the vendor location receives the profile information from the second location in response to the vendor location transmitting the bar code to the second location (col. 5, lines 4-32).

9. As per claims 5 and 18, Reber further teaches a method and system wherein the bar code is unique and has a unique ID number associated therewith (col 1, lines 36-45)(col. 2, lines 24-32) (col. 4, lines 14-20).

10. As per claims 6 and 19, Reber et al. further teach a method and system wherein the user provides the unique ID number to the vendor location for payment purposes (col. 1, lines 36-45).

11. As per claims 13 and 26, Reber et al. further teach a method and system wherein the bar code is placed on a credit card (col. 6, lines 41-67; col. 7, lines 1-18; and Fig. 2).

****

12. Claims 7-9 and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reber et al. (US 5,930,767) in view of Wong et al. (US 5,956,699).

****

13. As per claims 7 and 20, Reber teaches all the limitations discussed under claims 1 and 14 above. Reber does not specifically teach a method or system wherein automatically inserting the profile information into a vendor payment form causes ail the profile information to be entered as encoded information. However, Wong et al. teach having a user encrypt his personal information, including name, address, telephone and credit card numbers before transmitting them through the Internet (col. 3, lines 38-62). Therefore, at the time of the applicant's invention, it would have been obvious to one having ordinary skill in the Internet Commerce art, to modify the teachings of Reber et include the use or encryption as taught by Wong et al., in order to prevent the unauthorized use of the user's personal information.

14. As per claims 8 and 21, Reber teaches all the limitations discussed under claims 1 and 14 above. Reber does not specifically teach a method or system wherein automatically inserting the profile information into a vendor payment form causes only a portion of the profile information to be entered into the vendor payment form as encoded information. However, Wong et al. teach that a user may encrypt only his vital personal information (col. 3,lines 38-62). Therefore, at the time of the applicant's invention, it would have been obvious to one having ordinary skill in the Internet Commerce art, to modify the teachings of Reber to include the teachings of Wong et al. because limiting the use of encryption would decrease the amount of processing required to decode the

user's profile information. Consequently, limiting the use of encryption would decrease the overall time required to process the user's profile information.

15. As per claims 9 and 22, Reber et al. teach all the limitations discussed under claims 8 and 20 above. Reber does not specifically teach a method or system wherein the portion of encoded profile information is credit information. However, Wong et al. teach that a user may elect to encrypt his credit card number (col. 3, lines 38-62). Therefore, at the time of the applicant's invention, it would have been obvious to one of ordinary skill in the Internet commerce art, to modify the teachings of Reber to include the teachings of Wong et al. because encrypting only the user's credit information would limit the amount of processing required to decode the user's profile information. Thus, by reducing the amount of processing required to decode the user's profile information, the overall time required to process the user's profile information is reduced.

****

16. Claims 10, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reber et al. (US 5,930,767) in view of Green et al. (US 5,664,110).

****

17. Reber et al. teach all the limitations discussed under claims 1 and 14 above. Reber does not specifically teach a method or system wherein the user profile information comprises name, address, ship-to address and credit information. However, Green teaches providing a remote vendor with the user's name, address, account information, delivery preference and consume profile information (col. 5, lines 22-42). Therefore, at the time of the applicant invention, it would have been obvious to one having ordinary

skill in the Internet commerce art, to modify the teachings of Reber to include the teaching Green et al. because providing a remote vendor with the user's name, address account information, delivery preference and consumer profile information would eliminate the need for the user to submit this information every time he placed order with the vendor. This would be particularly advantageous in cases whet the user submits multiple orders to the vendor.

****

18. Claims 11, 12, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reber et al. (US 5,930,767) in view of Gardenswartz et (US 6,055,573).

****

19. As per claims 11 and 24, Reber et al. teach all the limitations discussed under claims 1 and 14 above. Reber et al. inherently teach a database of profile information associated with unique bar codes. Reber et al. disclose that a user is identified by having the system read a unique bar code (cot. 3, lines 56-67; and col. 4, lines 1-4).. The system in Reber et al. must store identifying information that is associated with the unique bar code in order for a user to be identified by bar code. Therefore, a database of profile information associated with unique bar codes is inherent to the teachings of Reber et al. Further regarding claims 11 and 24, Reber does not specifically teach a method or system wherein the second location is a central registration sere having a database of profile information associated with respective unique bar codes and unique ID numbers. However, Gardenswartz et al. teach a remote located registration server

programmed to receive, store and/or transmit various types of information, including identifying information (col. 6, lines 54-62; and I 1). The database is inherent to the teachings of Gardenswartz because registration server is programmed for the storage of information (Id.). At the time of the applicant's invention, it would have been obvious to one having ordinary skill in the Internet Commerce art, to modify the teachings of Reber to include the teachings of Gardenswartz because the addition of a central registration server that is capable of storing and transmitting identifying information would provide a system wherein the user could provide his profile information to a number of vendors while submitting this information to the registration server only once. Regarding claims 12 and 25, Reber teach all the limitations discussed under claims 11 and 24 above. Reber does not specifically teach a method or system wherein the second location is a credit card company server. However, the examiner takes Official Notice that, at the time of the applicant's invention, submitting a user's profile information to a credit card company server was notoriously well-known in the Internet commerce art. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of Reber to include submitting a user's profile information to a credit card company server because this would allow the user to electronically apply for a credit card.

Response to Arguments

20. Applicant's arguments have been considered but are not persuasive. Applicants argue the rejection of the claims as being obvious over Reber et al. ("Reber") in view of Light et al. ("Light") is improper. Applicants note that

Reber fails to teach presenting a form to a user, and subsequently populating the form with data that is gathered by scanning a bar code (p. 7, lines 18-20). Applicant's further note that the Examiner's reliance upon Light for teaching this feature is improper inasmuch as Light does not populate the form with data from the bar code (p. 7, lines 23-26). However, Light also teaches entering a credit card number for a transaction(col 2 lines 63-col 3 line 48) which is the result of a purchase of a product, such product which would normally have a bar code. Thus, Applicants reason that Reber and Light cannot be combined to teach a bar code, that when scanned, triggers an operation that populates a form with data from the bar code.

The combination of Reber and Light to arrive at Applicants' invention is proper. Applicants' invention does not necessarily require the form to be presented to the user as a prompt for scanning a bar code. Lines 12-13 of claim 1 only provide that the on-line transaction "requires the user to view a vendor payment form at the user location.. . ." There are no claim limitations which require the payment form to be displayed prior to receiving the barcode data. Also, Light's disclosure suggests combining its teachings with Reber to achieve Applicants' invention. Light teaches a form population process that is triggered in response to a user's activating a key or mouse(col 4 lines 45-49). Also Reber teaches triggering a transaction having a user scan a barcode(Fig 9/160)(col 3 lines 4-5). Thus, Reber's bar code scanner could be employed as an alternative mechanism for triggering the form population process. Therefore, combining Reber and Light to arrive at Applicants' invention is proper.

Conclusion

21. **THIS ACTION IS MADE NON-FINAL.**

****

22. Any questions concerning this communication should be addressed to the primary examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the primary examiner are unsuccessful, the primary examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

GRA

June 7, 2004

DR. GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER